

SUPREME COURT OF WASHINGTON

DAVID T. MCDONALD, RONALD TARO
SUYEMATSU ET AL.,

Petitioners,

v.

SECRETARY OF STATE SAM REED, ET
AL,

Respondents.

NO. 76321-6

DECLARATION OF CHERYL
HENNING IN SUPPORT OF PETITION
FOR WRIT OF MANDAMUS

I, Cheryl Henning, declare under penalty of perjury of the laws of the State of
Washington that the following is true and correct:

1. I am over the age of 18, am competent to be a witness herein, and make this
declaration based on my own personal knowledge.

2. I have voted regularly and continuously since becoming eligible.

DECLARATION OF CHERYL HENNING IN
SUPPORT OF PETITION FOR WRIT OF
MANDAMUS - 1

[/DOCUMENT/1.04]

Perkins Coie LLP
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Seattle, Washington 98101-3099
Phone: (206) 359-8000
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1 3. In late May, I moved from Klickitat County to Clallum County.
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3 However, I still own a residence in the town of Goldendale in Klickitat County and was
4
5 registered to vote in Klickitat County.

6 4. In early June, I went to the Department of Motor Vehicles to change
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8 my driver's license. While I was at the Department of Motor vehicles I was asked whether I
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10 would also like to change my voter's registration. I was told that the Department could
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12 change my registration and sign me up for a vote-by-mail ballot. I assumed that the
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14 Department re-registered me at that time.

15 5. In September, I had not received my vote-by-mail ballot. In order to
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17 determine what happened I called the Clallum County Auditor's office. I was informed that
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19 I was not able to re-register via the Department of Motor Vehicles and that I should not have
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21 been told that it was permissible to re-register at that office. The Auditor's office informed
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23 me that I was not registered to vote in Clallum County and could not vote there for the
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25 November 2, 2004 election.

26 6. I wanted to ensure that my vote was counted in this year's election. Thus, on
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28 November 2, 2004, I drove with my husband 360 miles back to Klickitat County where I
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30 was registered to vote. My husband and I went to the designated polling place for our
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32 residence in Goldendale. At the polling place, the election worker informed my husband
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34 and I that our names were no longer in the poll book. Further, because our names were not
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36 present, we were required to vote by provisional ballot. My husband and I signed our names
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38 in the poll book and filled out and sealed the envelopes as instructed by the poll workers.

39 7. In November, my husband and I received a letter from the Klickitat County
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41 Auditor's Office. Attached hereto as exhibit A is a correct copy of the letter. The letter
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43 dated November 19, 2004, was addressed to Don and Cheryl Henning and stated: "Your
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DECLARATION OF CHERYL HENNING IN
SUPPORT OF PETITION FOR WRIT OF
MANDAMUS - 2
[DOCUMENT11.04]

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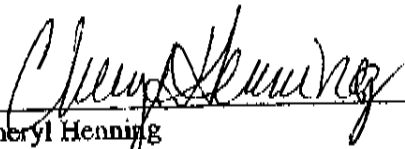
03/27/2014 06:50 FAX

1 provisional ballots for the 11-2-04 election were not counted. We had a note from you
2 indicating your new address and your names were removed from our records." Neither my
3 husband nor I ever gave Klickitat County such a note. Because Clallum County indicated
4 that we were not registered in that County, there would have been no reason for them to
5 send a cancellation notice to Klickitat County. The cancellation notice we received from
6 Klickitat County does not make any sense and we believed that we were still registered in
7 Klickitat County as of November 2, 2004.
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14 8. I was the person who signed the poll book and the person who signed the
15 provisional ballot oath on the envelope.
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20 DATED this 16 day of December, 2004 in PA, WA
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Cheryl Henning

DECLARATION OF CHERYL HENNING IN
SUPPORT OF PETITION FOR WRIT OF
MANDAMUS - 3

{1}DOCUMENT{1}.041

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From the Office of **Diana Housden**

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(509) 773-4001
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1-800 583-8050

Klickitat County *Auditor*

Licensing • Records & Recording • Elections • Voter Maintenance • Accounting • Payroll

November 19, 2004

Donald and Cheryl Henning
2844 Happy Valley Rd.
Squim, WA 98382

Dear Don and Cheryl,

Your provisional ballots for the 11-2-04 General Election were not counted. We had a note from you indicating your new address and your names were removed from our records.

If you have any questions, please call us at 1-800-583-8050.

Sincerely,

A handwritten signature in cursive script, reading "Myrtle R. Scheradella".

Myrtle R. Scheradella
Elections Department